



CONSULTING COMMUNICATIONS ENGINEERS

1306 W. County Road F, St. Paul, MN 55112  
(612) 631-1338 • Fax (612) 631-3502

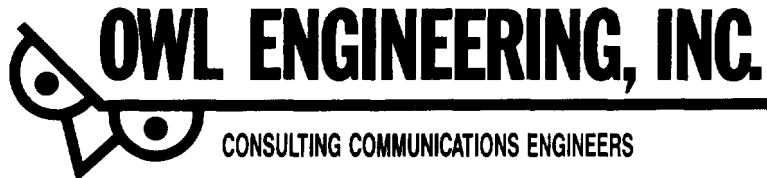
**ENGINEERING EXHIBIT FOR  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**COVERAGE CONTOURS**

The three-to-sixteen-kilometer average terrain elevations were derived from the National Geophysical Data Center (NGDC) 30-second topography data base. However, the site elevation was determined from the U.S.G.S. 7.5 minute Brockport topography quadrangle map.

The effective antenna radiation center height for each of the eight standard 45-degree spaced radials was used in conjunction with the F(50,50) metric curves of Figure 1 of Section 73.333 of the Rules to determine the distances to the 70 dBu and 60 dBu coverage contours. The contours drawn from the data are depicted on the map in figure E-5. As is readily evident, all of BROCKPORT, NEW YORK is included within the proposed 70 dBu coverage contour as required by the rules. The radial drawn through the principal city is depicted on the profile plot in Engineering Exhibit E-7. This permitted a determination to be made that there are no major obstructions in the intervening path from the transmitter site to the principal community.



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**ENGINEERING EXHIBIT FOR  
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DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**POPULATION AND AREA DATA**

Based on the 1980 U.S. Census of Population, the number of persons enclosed by the proposed 60 dBu coverage contour is 236,638 persons. The population count was made through the employment of a computer program containing a data base including the geographic coordinates of the centroids of population groupings. The area within the proposed 60 dBu coverage contour is 1,287 square kilometers. This area was determined by use of a calibrated polar planimeter for the portion of the 60 dBu contour that extends only over land.

**ALLOCATION CONSIDERATIONS**

A review of allotments and assignments on channel 288, on the three immediately upper adjacent, the three immediately lower adjacent channels, and on channels 235 and 234 (53 and 54 channels removed from channel 288), included as Engineering Exhibit E-8, showed that the site proposed would be in accordance with section 73.213(c) of the FCC Rules.



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**ENGINEERING EXHIBIT FOR  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**ENVIRONMENTAL IMPACT STATEMENT**

The instant proposal is categorically excluded from environmental processing since none of the conditions of Section 1.1306(b)(2) and (3) would be involved for the following reasons:

1) The site proposed is not in or near any location referenced in Section 1.1306(b)(1) as being of environmental interest.

2) The provisions of Section 1.1306(b)(2) relating to the use of high intensity strobe lighting does not apply since the antenna height proposed with this application does not require this form of lighting to be utilized.

3) Finally, the operation would not result in the adopted radio frequency radiation exposure guideline being exceeded at any location on the ground. Hence, the conditions of

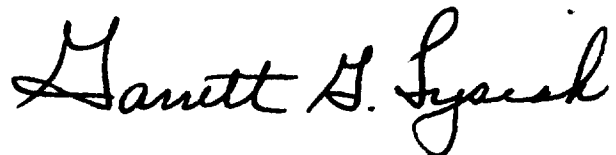
**ENGINEERING EXHIBIT FOR  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**CONCLUSIONS**

Based on the engineering studies provided, the following conclusions can be obtained:

- (1) Implementation of the instant proposal will provide BROCKPORT with a full time aural broadcast service.
- (2) 236,638 persons in 1,287 square kilometers would have an available signal strength of 60 dBu or greater from the proposed construction location.
- (3) All of BROCKPORT would be served with a signal of 70 dBu or greater from the proposed construction site.
- (4) The proposal is in complete conformance with all technical rules of the Federal Communications Commission.



Garrett G. Lysiak, P.E.

December 14, 1990

<b>Section V-B - FM BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b> File No. _____ ASB Referral Date _____ Referred by _____
--	--

Name of Applicant

**DAVID WOLFE**

Call letters (if issued)

Is this application being filed in response to a window? ☒ Yes ☐ No

If Yes, specify closing date: December 20, 1990

Purpose of Application: (check appropriate boxes)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input type="checkbox"/> Antenna location                     | <input type="checkbox"/> Class                     |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) DOC 89-420

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
288	Brockport	Monroe	NY

Class (check only one box below)

- ☒ A  
 ☐ B1  
 ☐ B  
 ☐ C3  
☐ C2  
☐ C1  
☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

0.9 km from Brockport, NY, at a bearing of 201.4°.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude      °      '      " <div style="display: flex; justify-content: space-around; width: 100%;"> <span>43</span> <span>13</span> <span>15</span> </div>	Longitude      °      '      " <div style="display: flex; justify-content: space-around; width: 100%;"> <span>77</span> <span>56</span> <span>08</span> </div>
---	--

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. \_\_\_\_\_

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. \_\_\_\_\_

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	0	'	"	Longitude	0	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
E-1Date December 14, 1990 office where filed Eastern Regional Office

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>7GO</u>	<u>4.78</u>	<u>158.07°</u>
(b) _____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 150 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 106 meters(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 256 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground 99 meters (H)99 meters (V)(2) above mean sea level [(a)(1) + (b)(1)] 249 meters (H)249 meters (V)(3) above average terrain 100 meters (H)100 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
E-2

9. Effective Radiated Power:

(a) ERP in the horizontal plane

3 kw (H\*) 3 kw (V\*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

--- kw (H\*) --- kw (V\*)Exhibit No.  
N/A

\*Polarization

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.816, including plot(s) and tabulations of the relative field.

Exhibit No.  
N/A

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.815(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
N/A

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1126.

Exhibit No.  
N/A

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.216 apply?

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
E-8

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

(e) If authorization pursuant to 47 C.F.R. Section 73.216 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
N/A

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(a) and 73.318.)

Exhibit No.  
E-3

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-4

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-5

ROCHESTER, TORONTO MAPS, SCALE 1:250,000

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 316 mV/m and 1 mV/m predicted contours; and
- (c) the legal boundaries of the principal community to be served.
17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1,287 sq. km.

Population 236,638

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
N/A

- (a) the proposed auxiliary 1 mV/m contour; and
- (b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.213)*

Source of terrain data: *(check only one box below)*

☒ Linearly Interpolated 30-second database

☐ 7.5 minute topographic map

(Source: NGDC)

☐ Other *(briefly summarize)*



## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 18 km (meters)	Predicted Distances	
		To the 318 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
"	58	10.4	18.5
0	153	16.9	29.5
45	152	16.8	29.4
90	118	14.8	26.2
135	64	10.9	19.4
180	59	10.5	18.6
225	54	9.9	17.7
270	70	11.4	20.3
315	133	15.7	27.7

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

\* 201.4°

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

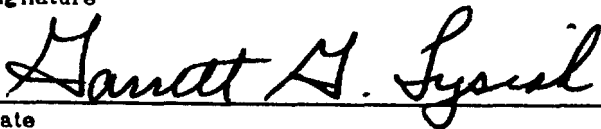
Exhibit No.  
E-6

If No, explain briefly why not.

Please See Engineering Statement

## CERTIFICATION



I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

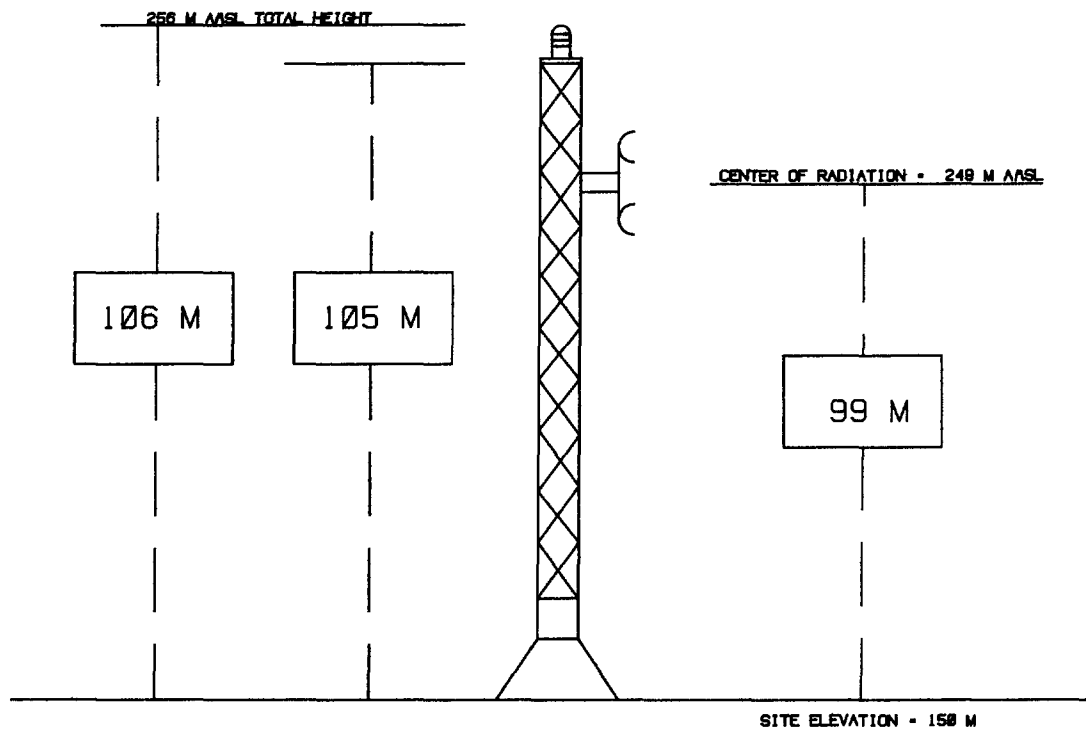
Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
Garrett G. Lysiak	Consulting Engineer
Signature	Address (Include ZIP Code)
	Owl Engineering, Inc. 1306 W. County Road F, Ste. 105 Arden Hills, MN 55112
Date	Telephone No. (Include Area Code)
December 14, 1990	(612) 631-1338

## ENGINEERING EXHIBIT E-1

DO NOT REMOVE CARBONS

Form Approved OMB No. 2120-0001

 <b>NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION</b> U.S. Department of Transportation Federal Aviation Administration			Aeronautical Study Number	
<b>1. Nature of Proposal</b> A. Type <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration B. Class <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration _____ months) C. Work Schedule Dates Beginning <u>Per FCC</u> End <u>approval</u>			<b>2. Complete Description of Structure</b> A. Include effective radiated power and assigned frequency of all existing, proposed or modified AM, FM, or TV broadcast stations utilizing this structure. B. Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports. C. Include information showing site orientation, dimensions, and construction materials of the proposed structure.  A) 3 KW ERP(H&V) 105.5 MHz B) Does not apply. C) Uniform cross section steel guyed tower with a side mounted FM antenna.	
<b>3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration.</b> (Number, Street, City, State and Zip Code) (716) 637-7040 area code Telephone Number  David Wolfe 6675 4th Section Road Brockport, NY 14420			(if more space is required, continue on a separate sheet.)	
<b>B. Name, address and telephone number of proponent's representative if different than 3 above.</b> Owl Engineering, Inc. 1306 W. County Road F, Ste. 105 Arden Hills, MN 55112 (612)631-1338				
<b>4. Location of Structure</b> A. Coordinates (To nearest second) 43° 13' 15" Latitude 77° 56' 08" Longitude B. Nearest City or Town, and State Brockport, NY (1) Distance to nearest point of nearest runway 0.56 miles (2) Direction to 4B 201.4° C. Name of nearest airport, heliport, flightpark, or seaplane base 7GO (1) Distance from structure to nearest point of nearest runway 2.5827 nm (2) Direction from structure to airport 158.07			<b>5. Height and Elevation</b> (Complete to the nearest foot) A. Elevation of site above mean sea level 492 B. Height of Structure including all appurtenances and lighting (if any) above ground, or water if so situated 348 C. Overall height above mean sea level (A + B) 840	
<b>D. Description of location of site with respect to highways, streets, airports, prominent terrain features, existing structures, etc. Attach a U.S. Geological Survey quadrangle map or equivalent showing the relationship of construction site to nearest airport(s).</b> (if more space is required, continue on a separate sheet of paper and attach to this notice.) 0.5 miles from Brockport, NY, at a bearing of 201.4°, North of Brockport at the intersection of highways 31 and 19.				
Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1101). Persons who knowingly and willingly violate the Notice requirements of Part 77 are subject to a fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472(a)).				
<b>I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking &amp; lighting standards if necessary.</b>				
Date 12/14/90		Typed Name/Title of Person Filing Notice Garrett G. Lysiak, P.E.		Signature 



OWL ENGINEERING, INC.  
ENGINEERING EXHIBIT E-2

BROCKPORT, NY  
NOT TO SCALE

CHANNEL 288 A



CONSULTING COMMUNICATIONS ENGINEERS

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**ENGINEERING EXHIBIT E-3  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**PROPOSED TRANSMITTER AND STUDIO LOCATIONS**

Wolfe proposes to operate from a site uniquely described by the geographic coordinates:

43° 13' 15" North Latitude

77° 56' 08" West Longitude

Figure E-4 is a portion of the Brockport, New York 7.5 minute U.S.G.S. topographic quadrangle map showing the proposed transmitter site. No FM or TV transmitters are located within 60 meters of the proposed antenna location. Since there are no other FM or TV facilities located nearby there is not expected to be any receiver induced intermodulation interference or other objectionable interference.

Because the area is Rural, there is not expected to be any problem with blanketing interference. The applicant is aware of the provisions of Section 73.318 of the FCC's Rules and the requirement for satisfying all complaints of blanketing interference that are received within a one-year period.

Figure E-2 is a sketch showing important elevations for the antenna and its supporting structure at the proposed construction site.

The main studio for the station will be located in the BROCKPORT area, at a site yet to be determined.



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**ENGINEERING EXHIBIT E-6  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**ENVIRONMENTAL IMPACT STATEMENT**

The instant proposal is categorically excluded from environmental processing since none of the conditions of Section 1.1306(b)(2) and (3) would be involved for the following reasons:

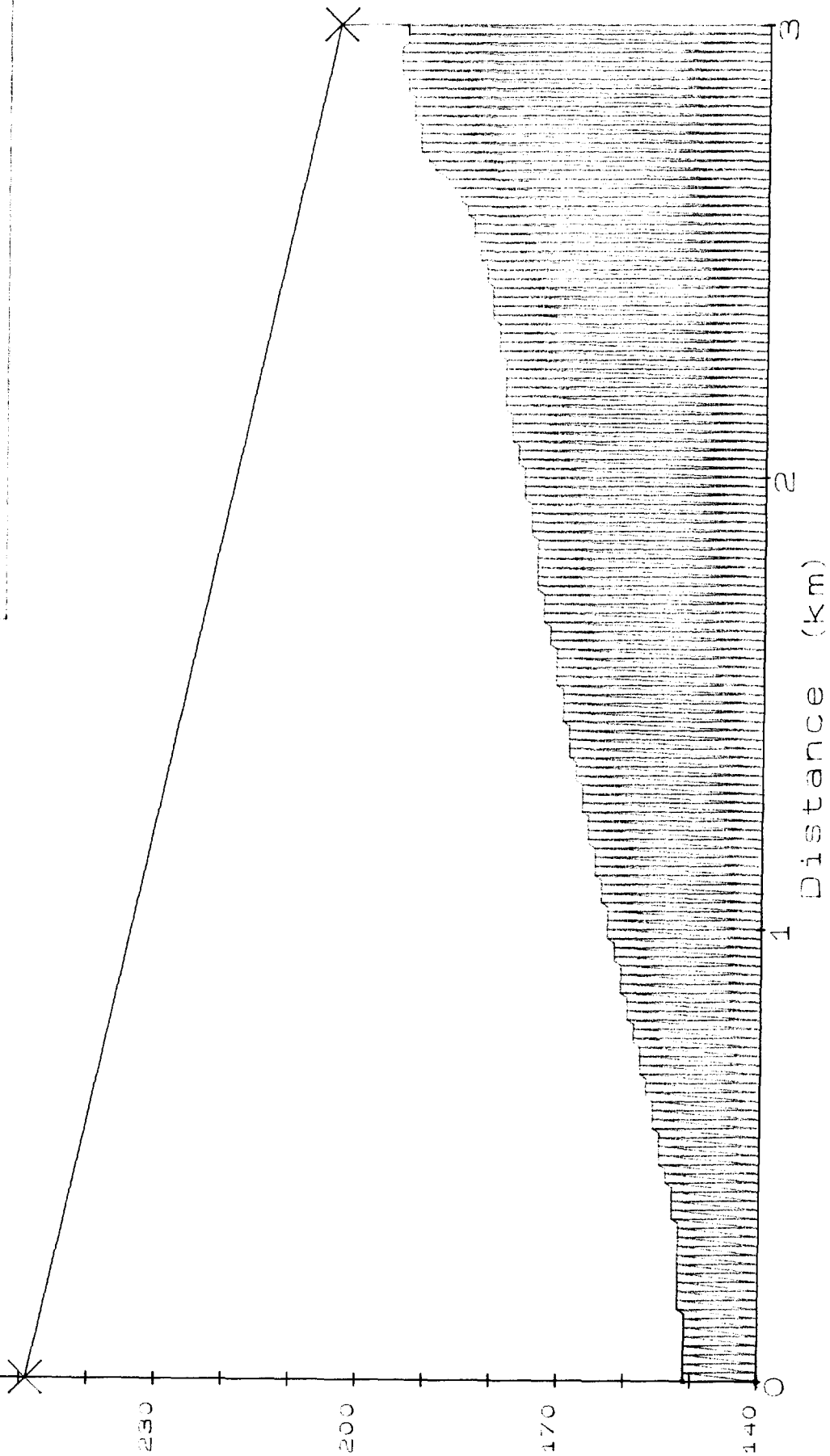
1) *The site proposed is not in or near any location referenced in Section 1.1306(b)(1) as being of environmental interest.*

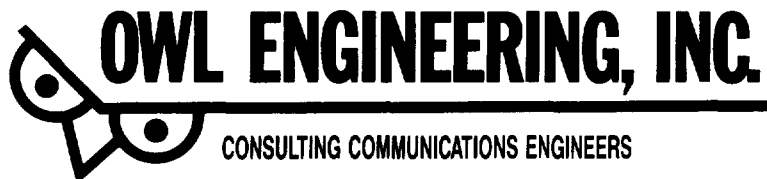
2) The provisions of Section 1.1306(b)(2) relating to the use of high intensity strobe lighting does not apply since the antenna height proposed with this application does not require this form of lighting to be utilized.

3) Finally, the operation would not result in the adopted radio frequency radiation exposure guideline being exceeded at any location on the ground. Hence, the conditions of Section 1.1306(b)(3) would not be involved.

265 Height (m) Profile plot for  
Brookport, NY

OWI Engineering, Inc.  
Engineering Exhibit E-7





CONSULTING COMMUNICATIONS ENGINEERS

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**ENGINEERING EXHIBIT E-8  
APPLICATION FOR FM CONSTRUCTION PERMIT  
DAVID WOLFE  
BROCKPORT, NEW YORK**

**CHANNEL 288 3 KW 100 METERS**

**CHANNEL SPACING STUDY**

FM Channel 288-A

LATITUDE: 43° 13' 15"  
LONGITUDE: 77° 56' 8"

CHNL	Call	City	Class	Calculated Km.	Required Km.	Delta km.	Bearing °
234							
235							
285							
286							
287	WKPQ	FMNY Hornell	B	105.35	105	0.35	168.23
288	WGES	FMNY Oswego	A	120.94	105	15.94	76.27
288	WGES	FMNY Oswego	A	121.24	105	16.24	79.18
289	CHREFM	FMON St Catharines	B	103.92	132	-28.08	262.61*
290		FANY Rochester	A	34.32	27	7.32	100.89
290	NEW	FMNY Rochester	A	29.78	27	2.78	103.10
290	NEW	FMNY Rochester	A	30.13	27	3.13	108.33
290	NEW	FMNY Rochester	A	30.02	27	3.02	108.40
291							

\* This short spaced condition is eliminated by concurrence with the Canadian Government. Please see Report and Order MM Docket 89-420

NOTE: Because the petition which resulted in this allotment was filed prior to October 2, 1989, Wolfe may themselves to the provisions of Section 73.213(c) of the Commission's Rules. Please see Report and Order MM Docket 89-420



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**CHANNEL 288 3 KW 100 METERS**

**AFFIDAVIT**

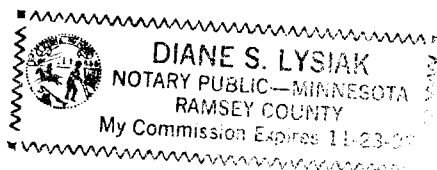
RAMSEY COUNTY                    )  
  )  
STATE OF MINNESOTA            )       ss:

Garrett G. Lysiak, being first duly sworn, says that he is president of Owl Engineering, Inc., consulting communications engineers with offices in Arden Hills, Minnesota: that his qualifications as an expert in communications engineering are a matter of record with the Federal Communications Commission: that the foregoing exhibit was prepared by him and under his direction; and that the statements contained therein are true of his own personal knowledge except those stated to information and belief and, as to those statements, verily believes them to be true and correct.



*Garrett G. Lysiak*  
Garrett G. Lysiak, P.E.

Subscribed and sworn to before me this date December 14, 1990.



*Diane S. Lysiak*  
Diane S. Lysiak  
Notary Public

My commission expires November 23, 1992



ORIGINAL

RICHARD J. HAYES, JR.

ATTORNEY AT LAW

1359 BLACK MEADOW ROAD  
GREENWOOD PLANTATION  
SPOTSYLVANIA, VIRGINIA 22553

PRACTICE LIMITED TO MATTERS BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION

ORIGINAL

FCC MAIL SECTION

FEB 15 9 13 AM '91

ADMITTED IN GEORGIA

RECEIVED

FILE

FEB 19 2 48 PM '91

AUDIO SERVICES

DIVISION TELEPHONE (703) 972-7941

February 12, 1991

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

RE: Amendment to Application for New FM  
Broadcast Station Construction Permit  
David L. Wolfe, Applicant  
Brockport, New York (Channel 288A)  
FCC File No. 901219MI

Dear Ms. Searcy:

Transmitted herewith, on behalf of David L. Wolfe, applicant, through counsel, is an original and two (2) copies of a "Petition for Leave to Amend" and "Amendment" to his construction permit application for Channel 288A at Brockport, New York.

Should any questions arise concerning this matter, please contact the undersigned, directly.

Respectfully submitted,

By:

Richard J. Hayes, Jr., Esq.  
His Attorney

RJH:tb  
Enclosures

RECEIVED

FEB 19 1991

FM EXAMINERS

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FEB 19 2 48 PM '91

AUDIO SERVICES  
DIVISION

In the Matter of:	)	
✓ DAVID L. WOLFE	)	FCC File No. 901219MI
LRB BROADCASTING	)	FCC File No. 901218MI
ZENITRAM COMMUNICATIONS, INC.	)	FCC File No. 901220MG
PHILIP Y. HAHN	)	FCC File No. 901220MK
GEORGE W. KIMBLE	)	FCC File No. 901220MD
For a Construction Permit For A	)	
New FM Station on Channel 288A	)	
Brockport, New York	)	

TO: Chief, FM Branch

PETITION FOR LEAVE TO AMEND


Comes now, David L. Wolfe, applicant in the above-captioned proceeding (FCC File No. 901219MI), through counsel, with this "Petition for Leave to Amend" his pending application for a new FM facility at Brockport, New York.

The attached "Amendment" is permitted pursuant to Section 1.65 of the FCC's rules and is offered for the sole purpose of up-dating the applicant's ownership profile.

Since this "Amendment" is submitted pursuant to Section 1.65, good cause exists for its acceptance and for the granting of this "Petition for Leave to Amend."

Respectfully submitted,

DAVID L. WOLFE

By:   
Richard J. Hayes, Jr., Esq.  
His Attorney

Dated: February 12, 1991

Richard J. Hayes, Jr., Esq.  
Attorney at Law  
1359 Black Meadow Road  
Spotsylvania, Virginia 22553  
(703) 972-2690

AMENDMENT TO NEW FM CONSTRUCTION PERMIT APPLICATION  
DAVID L. WOLFE, APPLICANT  
BROCKPORT, NEW YORK (CHANNEL 288A)  
FCC FILE NO. 901219MI

Please amend my application to up-date information originally  
furnished regarding Radio Station WASB-AM, Brockport, New York.

On January 18, 1991, the Federal Communications Commission, by  
"Public Notice," indicated that it had granted the "Application for  
Voluntary Assignment of License" from ASB, Inc. to David L. Wolfe (FCC Form  
314). The FCC File No. for this application is BAL-901123EA.

It should also be noted that all steps necessary to consummate this  
transaction have been concluded.

Respectfully submitted,

Dated: 2-4-91

By: David L. Wolfe  
David L. Wolfe  
Individual Applicant

**ORIGINAL**

910215ma

**ORIGINAL**

**RICHARD J. HAYES, JR.**

ATTORNEY AT LAW

1359 BLACK MEADOW ROAD

GREENWOOD PLANTATION

SPOTSYLVANIA, VIRGINIA 22553

PRACTICE LIMITED TO MATTERS BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION

File

FCC MAIL SECTION

FEB 15 9 11 AM '91

ADMITTED IN GEORGIA

TELEPHONE (703) 972-7941

February 12, 1991

Ms. Donna R. Searcy, Secretary  
The Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

RE: Amendment to Application for New FM Construction Permit  
David L. Wolfe, Applicant  
Brockport, New York (Channel 288A)  
FCC File No. 901219MI

Dear Ms. Searcy:

Transmitted herewith, on behalf of David L. Wolfe, through counsel, is an original and three copies of an amendment to the above referenced application.

This amendment addresses the issue of publication of local notice. Copies of the affidavit of publication and copies of the newspaper "tear-sheets" are also attached.

If there are any questions, please contact the undersigned, directly.

Respectfully submitted,

DAVID L. WOLFE

By: Richard J. Hayes, Jr.  
Richard J. Hayes, Jr., Esq.  
His Attorney

RJH:tb  
Enclosures


Amendment to Application for New FM Construction Permit  
David L. Wolfe, Applicant  
Brockport, New York (Channel 288A)  
FCC File No. 901219MI

The application of David L. Wolfe, is hereby amended to include proof of publication of local notice. Affidavits and "tear-sheets" from the local newspaper are attached.

This amendment is filed for the purpose of complying with the Rules and Regulations of the Commission.

Respectfully submitted,

DAVID L. WOLFE

By:   
Richard J. Hayes, Jr., Esq.  
His Attorney

Dated: February 12, 1991

Richard J. Hayes, Jr.  
Attorney at Law  
1359 Black Meadow Road  
Spotsylvania, Virginia 22553

(703) 972-2690

100-10103

STATE OF NEW YORK  
Monroe County

STATE OF NEW YORK  
Monroe County

SS.

SARAH MCHUGH being duly sworn, depose and saith that she is the SUBURBAN SALES MGR. for THE BROCKPORT POST, a weekly newspaper published in the Town of Pittsford, County and State aforesaid, and that a notice, of which the annexed is a printed copy, was published in the said paper at least once in each week, for 3 successive weeks, commencing on the 8 day of Jan, 1991 and ending on the 22 day of Jan, 1991

Sarah McHugh

Sworn to before me, this 22 day of Jan, 1991.

Lisa R. Tallerson

Notary Public, State of N.Y.

Expires \_\_\_\_\_

K 176

LISA R. TALLERSON  
Notary Public, State of New York  
Qualified in Monroe County  
Commission Expires Dec. 12, 1992

### LEGAL NOTICE

On December 19, 1990, an application was filed with the Federal Communications Commission by David Wolfe for a new FM Radio Station construction permit at Brockport, New York. David Wolfe is the sole owner of the applicant.

The Station will be operated on Channel 288A. The facility sought is a Class "A"

FM station operating unlimited hours with power at 3.0 kilowatts. The tower and transmitter will be located (0.9 km) 0.5 miles from Brockport, New York, at a bearing of 201.4 degrees, North of Brockport at the intersection of highways 31 and 19. (Latitude 43-13-15, Longitude 77-56-08). The tower will be 100 meters above

average terrain. The offices and studios will be located in Brockport, New York.

A copy of the application is on file for public inspection at:

WASB

6675 Fourth Section Rd.  
Brockport, N.Y. 14420

David Wolfe

Applicant

1.8.91(3tcK176)

1.22.91



# L A K ROCHESTER

